

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

DERRICK NEMBHARD,  
a/k/a "Derrick Brown,"

Defendant.

RECEIVED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
JUN 27 2007  
INDICTMENT  
07 CRIM. 07 Cr 584

COUNT ONE

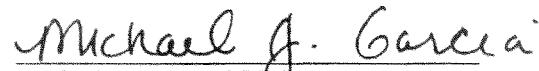
The Grand Jury charges:

From at least on or about February 4, 1998, up to and including on or about the date of the filing of this Indictment, in the Southern District of New York and elsewhere, DERRICK NEMBHARD, a/k/a "Derrick Brown," the defendant, being an alien, unlawfully, willfully, and knowingly, did enter, and was found in, the United States, after having been deported and removed from the United States subsequent to a conviction for the commission of an aggravated felony, to wit, a conviction for the Attempted Criminal Sale of a Controlled Substance in the Third Degree, a violation of New York State Penal Law sections 110.00 and 220.39, in Bronx County Supreme Court, Bronx County, on or about August 7, 1991, without having obtained the express consent

of the Attorney General of the United States, or his successor,  
the Secretary for Homeland Security, to reapply for admission.

(Title 8, United States Code, Sections 1326(a) and (b) (2).)

  
Clark T. Abu  
FOREPERSON

  
Michael J. Garcia  
MICHAEL J. GARCIA  
United States Attorney

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SOUTHERN DISTRICT OF NEW YORK

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INDICTMENT

07 Cr.

(8 U.S.C. §§ 1326(a) and (b)(2))

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MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

  
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Foreperson.

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4/07/07 Indictment filed. A/w issued. Case  
SAW assigned to Judge Jones.

Fox, J.